

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 510 - SB 573

March 19, 2013

SUMMARY OF BILL: Requires a contractor providing services to a child pursuant to a contract with the Department of Children's Services (DCS) to petition a court of competent jurisdiction requesting that the court order a full inpatient psychiatric evaluation of the child in accordance with Title 33, Chapter 6 within 24 hours of receiving a second complaint that the child has reported to school threatening to harm his or her self or another person. The contractor is required to provide the child with a minimum of six months of therapeutic counseling for one session per week when the evaluation recommends such treatment.

ESTIMATED FISCAL IMPACT:

Increased State Expenditures - \$987,800

Increased Local Expenditures – Exceeds \$205,800*

Assumptions:

- According to DCS, the bill applies to non-custodial youth receiving DCS contract services. According to DCS, there are currently 14,693 non-custodial youth receiving DCS contract services.
- According to the 2011 Tennessee Youth Risk Behavior Survey published by the Tennessee Department of Education, approximately 11 percent of adolescents in grades 9-12 have considered taking their own lives in a 12-month period.
- It is estimated that 20 percent of the 11 percent that have considered taking their own lives will report to school threatening to harm themselves.
- It is estimated that two percent (.11 x .20) of non-custodial youth receiving DCS contracted services have reported to school threatening to harm themselves.
- No information has been provided indicating how many non-custodial youth report to school threatening harm to another person. It is estimated that two percent of non-custodial youth report to school threatening to harm another person.
- It is estimated that the bill will apply to 588 non-custodial youth (14,693 x .04).
- According to the Department of Mental Health and Substance Abuse Services (MHSAS), Regional Mental Health Institutes (RMHIs) do not admit individuals below 18 years of age. An inpatient psychiatric evaluation would be provided by another inpatient resource.
- Pursuant to Tenn. Code Ann. § 37-1-150, the county in which the court is located will be responsible for the cost of the inpatient psychiatric evaluation unless the parent or legal

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custodian or guardian of the youth can pay all or part of the cost. It is estimated that the county will pay for at least half of the inpatient psychiatric evaluations required by the bill. The cost of an inpatient psychiatric evaluation will exceed \$700.

- It is estimated that local government expenditures will increase by at least \$205,800 (\$700 x 588 youth x .50).
- It is estimated that the evaluation will recommend counseling in all cases.
- According to the Department of Children's Services, the current per hour cost of in-home service is estimated to be \$70.
- The estimated increase in state expenditures resulting from therapeutic counseling is \$987,840 [588 youth x (\$70 x 24 hours)].
- According to the Administrative Office of the Courts, the estimated increase in petitions can be accommodated by existing judicial resources.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', is positioned above the printed name.

Lucian D. Geise, Executive Director

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